

OCT 25 2013

JULIA C. BUDLEY, CLERK
BY: 
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

COREY JERMAIN SMITH,) CASE NO. 7:13CV00329
)
 Plaintiff,)
 v.) FINAL ORDER
)
)
 LT. ELY, ET AL.,) By: James C. Turk
) Senior United States District Judge
 Defendant(s).)

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil rights action brought under 42 U.S.C. § 1983 is summarily **DISMISSED** without prejudice, based on plaintiff's failure to exhaust available administrative remedies as required by 42 U.S.C. § 1997e(a); all pending motions (ECF Nos. 31, 36, 39, 41, & 51) are **DISMISSED** as moot; and this action is stricken from the active docket of the court.

ENTER: This 25th day of October, 2013.



Senior United States District Judge